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DATE 4-23-07
UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA

LAFAYETTE-OPELOUSAS DIVISION

UNITED STATES OF AMERICA	*	CIVIL ACTION NO: 01-0678
	*	
VERSUS	*	JUDGE MELANÇON
	*	
10.00 ACRES OF LAND, MORE	*	MAGISTRATE JUDGE HILL
OR LESS, SITUATED IN ST. MARTIN	*	
PARISH, LOUISIANA, AND	*	
IRENE THIBODEAUX VIATOR, <i>ET AL</i>,	*	
AND UNKNOWN OWNERS	*	LAND COMMISSION
	*	

ORDER

This matter was referred to the Atchafalaya Basin Land Commission for a compensation hearing. The hearing was held on February 21, 2006 . The Commission filed a Report and Recommendation on March 9, 2007 [Rec. Doc. 75] which was supplemented on March 30, 2007. [Rec. Docs. 77, 78). No objections have been filed.

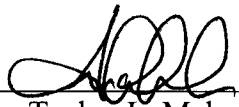
The Land Commission indicated their finding in their Report and Recommendation that the value of the easements to be as reflected in the appraisal report dated effective March 17, 1997 which is \$775.00. After an independent review of the record, the Court concludes that the appropriate amount of compensation for the easement taken by the United States is the amount reflected in the January 10, 2006 appraisal report of Judith Y. Gutierrez. The updated appraisal was filed into the record by the United States at the hearing held on February 21, 2006 [Rec. Docs. 70, 71] and is referred to in the Commission's Report and Recommendation. The Gutierrez appraisal valued the easement as of April 17, 2001, the date of filing of the Declaration of Taking [Rec. Doc. 1], at \$850.00. The original appraisal valued the easement at \$775.00.

That amount was placed in the registry of the Court by the United States. Upon submission of the updated Gutierrez appraisal, the United States submitted additional funds into the registry of the Court to reflect the increased valuation of the easement.

The Court adopts the Report and Recommendation, except that the amount of compensation shall be \$850.00 as reflected in the Gutierrez appraisal.

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that compensation shall be made in accordance with the foregoing.

Thus done and signed this 23rd day of April, 2007.



Tucker L. Melançon
United States District Judge

COPY SENT

DATE 4/24/07
BY [Signature]
TO TLM

Financial (cc)